

**LYNCHBURG CITY COUNCIL
Agenda Item Summary**

MEETING DATE: **September 12, 2006**

AGENDA ITEM NO.: 18

CONSENT:

REGULAR: **X**

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Private Street Namings Request – “Chateau Place,” “Bella Court” and “Geppetto Way” in the Candlewood Court Villas Subdivision, off Candlewood Court**

RECOMMENDATION: Approval of resolution to approve the private street namings request

SUMMARY: Bulldog Development, Inc., represented by Troy D. Williams, Hurt and Proffitt, Inc., is requesting to name three private streets “Chateau Place,” “Bella Court” and “Geppetto Way,” located on the west side of Candlewood Court in the proposed Candlewood Court Villas Subdivision. The private streets will serve 50 newly created lots for residential town home units for sale. Additional public right-of-way of 0.297 acre will be reserved for a cul-de-sac at the end of Candlewood Court. There will be no vehicular access from this development to Timbrook Place.

PRIOR ACTION(S):

August 9, 2006: Planning Division recommended approval
Planning Commission recommended approval (7-0)

FISCAL IMPACT: N/A

CONTACT(S):

Tom Martin /455-3909
Annette Chenault /455-3894

ATTACHMENT(S):

- Resolution
- PC Report
- PC Minutes
- Subdivision Plat
- Vicinity Map

REVIEWED BY: lkp

RESOLUTION

A RESOLUTION APPROVING THE NAMES FOR THREE PRIVATE STREETS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that approval is given for the names of three private streets, namely: "Chateau Place," "Bella Court" and "Geppetto Way" as names for three private streets for the Candlewood Court Villas Subdivision located off of Candlewood Court.

Adopted:

Certified:

Clerk of Council

110L

THE DEPARTMENT of COMMUNITY DEVELOPMENT
City Hall, Lynchburg, VA 24504 434.455.3900

To: Planning Commission
From: Planning Division
Date: August 9, 2006
RE: **PRIVATE STREET NAMINGS REQUEST- "CHATEAU PLACE," "BELLA COURT" AND
"GEPETTO WAY" IN THE CANDLEWOOD COURT VILLAS, OFF CANDLEWOOD COURT**

I. APPLICANT

Property Owner: Bulldog Development, Inc., 102 Deep Springs Circle, Forest, VA 24551-1962
Representative: Troy D. Williams, Hurt & Proffitt, Inc., 2524 Langhorne Road, Lynchburg, VA 24501

II. LOCATION

The subject property is a tract of land containing 11.187 acres located on the west side of Candlewood Court, which is off Timberlake Road.

III. PURPOSE

The purpose of the request is to name three private streets "Chateau Place," "Bella Court," and "Geppetto Way," located on the west side of Candlewood Court. The new private streets will serve 50 newly created lots for residential town home units for sale. Additional public right-of-way of 0.297 acre will be reserved for a cul-de-sac at the end of Candlewood Court. There will be no vehicular access from this development to Timbrook Place.

IV. SUMMARY

- Request complies with City Code Section 35.105 requirements that "...all streets dedicated or private...may be assigned a name provided that a name assignment has been requested by the property owner on said street, and provided further that the Planning Commission deems the petitioned street of sufficient significance to warrant naming."
- Request complies with City Code Section 35.111 requirement that states the "proposed street name will be reviewed by the Technical Review Committee, Planning Commission and City Council, with the final decision resting with Council."

The Planning Division recommends approval of the private street namings request.

V. FINDINGS OF FACT

1. **Background.** Troy D. Williams, Hurt & Proffitt, Inc. is requesting to name three private streets located on the west side of Candlewood Court, which is off Timberlake Road. "Chateau Place," thirty-five (35) feet in width, would extend from Candlewood Court in southwesterly and northwesterly directions for approximately 750 feet to "Bella Court." "Bella Court," thirty-five (35) feet in width, would intersect Chateau Place in a "T" for approximately 550' in southwesterly and northeasterly directions to terminate in common areas at each end. "Geppetto Way," thirty-five (35) feet in width, would extend from Bella Court approximately 100' in a northwesterly direction to terminate in a common area. Additional public right-of-way of 0.297 acre will be reserved for a cul-de-sac at the end of Candlewood Court. There will be no vehicular access from this development to Timbrook Place.
2. **Zoning.** The subject property is zoned R-4 and R-4 "Conditional," High Density, Multi-Family Residential District. A portion of the common area fronting on Timbrook Place is zoned R-1, Low Density, Single-Family Residential District.
3. **Waivers.** No waivers from the Subdivision Ordinance will be needed for the private street namings request.
4. **Proposed Use of Property.** The new private streets would serve 50 newly created lots for residential town home units for sale

5. Technical Review Committee. The Technical Review Committee (TRC) reviewed a preliminary subdivision plat on June 6, 2006. The TRC noted the need for several revisions, most of which are minor in nature and which are expected to be resolved by the applicant prior to the approval of a final plat. The TRC had the following comments of significance to the consideration of the requested subdivision and private street namings:

- "The driveway that comes off Candlewood Court is labeled "common area." Will this driveway be given a private street name? If this driveway and any of the other common area drives are to be named, provide the Planning Division with the proposed name(s) for review by several agencies. City Council must approve all street names, whether private or public."
- The Traffic Engineer, the Fire Marshal, the Emergency Communications Administrator and the Lynchburg Post Office Customer Services Manager found that the proposed private street names "Chateau Place," "Bella Court" and "Geppetto Way" do not conflict with any existing street names.

VI. PLANNING DIVISION RECOMMENDED MOTION

Based on the proceeding findings of fact, the Planning Commission recommends to City Council approval of the private street names "Chateau Place," "Bella Court" and "Geppetto Way" as private street names for the Candlewood Court Villas Subdivision, off Candlewood Court."

This matter is hereby offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Mr. R. Douglas Dejarnette, Fire Marshal
Mr. J. Lee Newland, Director of Engineering
Lt. Danny R. Marks, Lynchburg Police Department Field Operations Bureau
Capt. Todd Swisher, Lynchburg Police Department North Division
Capt. H. W. Duff, Jr. Lynchburg Police Department East Division
Capt. Al Thomas, Lynchburg Police Department South Division
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Keith Wright, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Ms. Annette M. Chenault, Planner II
Ms. Nicole Gilkeson, Community Development Planner
Mr. Troy D. Williams, Representative

VII. ATTACHMENTS

1. "Plat Showing Candlewood Court Villas"
Hurt & Proffitt, Inc., dated May 22, 2006

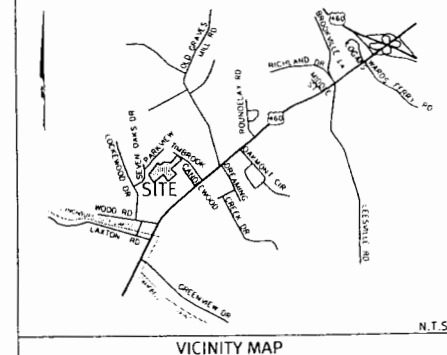
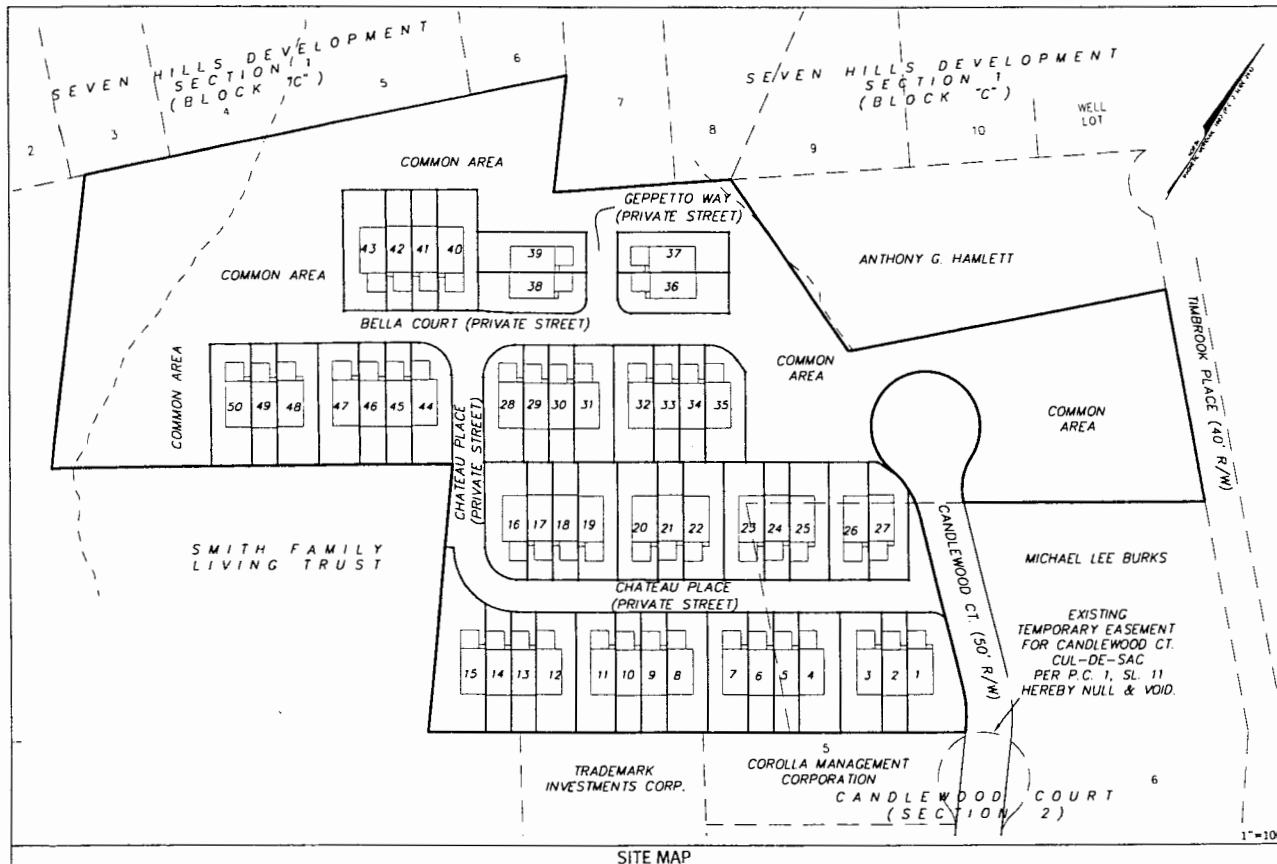
MINUTES FROM THE AUGUST 9 PLANNING COMMISSION MEETING. THESE MINUTES HAVE NOT BEEN REVIEWED OR APPROVED BY THE COMMISSION.

The purpose of the request is to name three private streets “Chateau Place,” “Bella Court,” and “Geppetto Way,” located on the west side of Candlewood Court. The new private streets will serve 50 newly created lots for residential town home units for sale. Additional public right-of-way of 0.297 acre will be reserved for a cul-de-sac at the end of Candlewood Court. There will be no vehicular access from this development to Timbrook Place.

After discussion Commissioner Oglesby made the following motion, which was seconded by Commissioner Sale and passed by the following vote:

“That the Planning Commission recommends to City Council approval of the private street names “Chateau Place,” “Bella Court” and “Geppetto Way” as private street names for the Candlewood Court Villas Subdivision, off Candlewood Court.”

AYES:	Barnes, Flint, Hamilton, Oglesby, Sale	5
NOES:		0
ABSTENTIONS:		0
ABSENT:	Worthington	1



SOURCE OF TITLE:

THE AREA SHOWN WAS ACQUIRED BY BULLDOG DEVELOPMENT, INC. FROM THE FOLLOWING SOURCES:

TAX PARCEL #254-15-011 FROM JAMES EDWARD SANDERS AND PATSY KAREN SANDERS BY DEED DATED MAY 17, 2005 AS RECORDED IN INSTRUMENT #050005191 OF THE CIRCUIT COURT CLERKS OFFICE OF THE CITY OF LYNCHBURG, VA.

TAX PARCEL #254-15-012 FROM EMMETT K. SIMPSON AND HAZEL H. SIMPSON BY DEED DATED MAY 31, 2005 AS RECORDED IN INSTRUMENT #050005190 OF THE CIRCUIT COURT CLERKS OFFICE OF THE CITY OF LYNCHBURG, VA.

STORMWATER MANAGEMENT SYSTEM MAINTENANCE AGREEMENT BETWEEN BULLDOG DEVELOPMENT, INC. AND THE CITY OF LYNCHBURG, SEE DEED DATED JAN. 30, 2006 RECORDED IN INSTRUMENT #060001836 OF THE CIRCUIT COURT CLERKS OFFICE OF THE CITY OF LYNCHBURG, VA.

NOTES:

1. THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE AS PER DATE OF THIS PLAT AND THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN.
2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
3. THE AREA SHOWN HEREON IS LOCATED IN FLOOD HAZARD ZONE 'C' AND IS NOT LOCATED WITHIN FLOOD HAZARD ZONE 'A' FOR A 100 YEAR FLOOD AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON COMMUNITY-PANEL MAP #510093.0020 DATED NOV. 16, 1983.
4. PROPERTY IS SERVED BY WATER AND SEWER FROM THE CITY OF LYNCHBURG.
5. EXISTING UTILITIES ARE OVERHEAD AND UNDERGROUND.
6. IRON PINS TO BE SET AT ALL CORNERS, WHERE POSSIBLE, OR AS OTHERWISE INDICATED ON THIS PLAT.
7. DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ARE TO BE RECORDED SIMULTANEOUSLY WITH THIS PLAT.
8. AS PER DATE OF THIS PLAT, THIS SITE IS UNDER CONSTRUCTION.

LEGEND

- IF IRON PIN FOUND
- MONUMENT FOUND
- SANITARY MANHOLE
- SS — UG SAN. SEWER LINE
- CREEK
- ① 15' PUBLIC DRAINAGE EASEMENT
- ② 20' PUBLIC DRAINAGE EASEMENT
- ③ 15' EXISTING CITY OF LYNCHBURG SANITARY SEWER EASEMENT (D.B. 592, PG. 27)
- ④ EXISTING CITY OF LYNCHBURG STORM DRAINAGE EASEMENT, NO WIDTH SPECIFIED (D.B. 612, PG. 585)

THE EASEMENTS DESCRIBED HEREIN ARE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LAND.

THE SUBDIVISION OF THE LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LAND AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME.

OWNER _____

DATE _____

OWNER _____

DATE _____

COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA
COUNTY/CITY OF _____

I, _____, A NOTARY PUBLIC IN
AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE
OWNERS/REPRESENTATIVES WHOSE NAMES ARE SIGNED HEREON HAVE
ACKNOWLEDGED THE SAME BEFORE ME THIS _____ DAY
OF _____, 20____. MY COMMISSION

EXPIRES _____

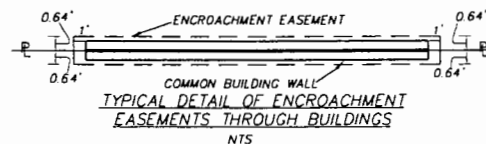
NOTARY PUBLIC _____

SUBDIVISION APPROVED:

DIRECTOR OF ENGINEERING, LYNCHBURG, VIRGINIA _____

CITY PLANNER, LYNCHBURG, VIRGINIA _____

CITY MANAGER, LYNCHBURG, VIRGINIA _____



ENGINEERING IS SURVEYING IS PLANNING
HURT
PROFFITT
INCORPORATED
3534 LAMAR ROAD
LYNCHBURG, VA 24001
400.242.4506 FAX 400.242.7700
400.242.7700 FAX

PLAT SHOWING CANDLEWOOD COURT VILLAS CITY OF LYNCHBURG, VIRGINIA

PROJECT NO. 20040708
G.L. NO. 264-01-AY 1
FILE NO.
DATE: 5-22-2006
DRAWN BY: CRL/RLW/KFW
CHECKED BY:

HURT **PROFFITT**

SHEET NO.
1 OF 3

"CHATEAU PLACE," "BELLA Court," "GEPETTO WAY"

August 9, 2006

PLEASE PRINT

[illegible]